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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, MARCH 1, 2001

APPLICATION OF

LIGHTWAVE COMMUNICATIONS, LLC

CASE NO. PUC000274

For certificates of public
convenience and necessity to
provide local exchange and
interexchange telecommunications
services

FINAL ORDER

On October 13, 2000, LightWave Communications, LLC ("LightWave" or "the Applicant"), filed an application for certificates of public convenience and necessity ("certificates") with the State Corporation Commission ("Commission") to provide local exchange and interexchange telecommunications services throughout the Commonwealth of Virginia. LightWave also requested authority to price its interexchange telecommunications services on a competitive basis pursuant to § 56-481.1 of the Code of Virginia.

By Order dated December 7, 2000, the Commission directed the Applicant to provide notice to the public of its application, directed the Commission Staff to conduct an investigation and file a Staff Report, and scheduled a public hearing to receive evidence relevant to LightWave's application.

LightWave filed its proof of publication and proof of service on January 17 and 23, 2001.

On February 8, 2001, the Staff filed its Report finding that LightWave's application was in compliance with the Rules Governing the Offering of Competitive Local Exchange Telephone Service ("Local Rules") and the Rules Governing the Certification of Interexchange Carriers ("IXC Rules").

Based upon its review of LightWave's application, the Staff determined it would be appropriate to grant the Applicant certificates to provide local exchange and interexchange telecommunications services subject to the following conditions: (1) any customer deposits collected by LightWave shall be maintained in an unaffiliated third-party escrow account until such time as the Staff or Commission determines it is no longer necessary; (2) LightWave shall provide audited financial statements of its parent, LightWave Communications, Inc., to the Division of Economics and Finance no later than one year from the date of its initial tariff; and (3) at such time as voice services are initiated by LightWave, it shall comply with all requirements of § C of the Local Rules.

A hearing was conducted on February 22, 2001. At the hearing, the application and accompanying attachments, proof of publication and service, and the Staff Report were entered into

the record without objection. No public witnesses appeared at the hearing.

NOW THE COMMISSION, having considered the application and the Staff Report, finds that LightWave should be granted certificates to provide local exchange and interexchange telecommunications services subject to certain conditions. Having considered § 56-481.1, the Commission further finds that LightWave may price its interexchange telecommunications services competitively.

Accordingly, IT IS ORDERED THAT:

(1) LightWave Communications, LLC, is hereby granted a certificate of public convenience and necessity, No. TT-136A, to provide interexchange telecommunications services subject to the restrictions set forth in the Commission's Rules Governing the Certification of Interexchange Carriers, § 56-265.4:4 of the Code of Virginia, and the provisions of this Order.

(2) LightWave Communications, LLC, is hereby granted a certificate of public convenience and necessity, No. T-543, to provide local exchange telecommunications services subject to the restrictions set forth in the Rules Governing the Offering of Competitive Local Exchange Telephone Service, § 56-265.4:4 of the Code of Virginia, and the provisions of this Order.

(3) Should LightWave collect customer deposits, it shall establish and maintain an escrow account, held by an

unaffiliated third party for such funds and shall notify the Division of Economics and Finance of the escrow arrangement. Any escrow arrangement established pursuant to this Order shall be maintained for such time as the Staff or Commission determines is necessary.

(4) LightWave shall provide tariffs to the Division of Communications which conform with all applicable Commission rules and regulations.

(5) LightWave shall provide audited financial statements of its parent, LightWave Communications, Inc., to the Division of Economics and Finance no later than one (1) year from the date of LightWave's initial tariff.

(6) At such time as voice services are initiated by LightWave, it shall comply with all requirements of § C of the Local Rules.

(7) Pursuant to § 56-481.1 of the Code of Virginia, LightWave may price its interexchange telecommunications services competitively.

(8) There being nothing further to come before the Commission, this case shall be dismissed and the papers filed herein placed in the file for ended causes